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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/280,541	03/30/99	HO J	P55657

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EXAMINER	
NGUYEN, K	
ART UNIT	PAPER NUMBER
2674	11

DATE MAILED: 10/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/280,541	HO, JAE-ICK	
	Examiner	Art Unit	
	Kevin M. Nguyen	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 August 2001* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

The amendment and the substitute specification filed on 8/7/2001 are entered. However, Claims 1-20 have been rejected in view of the newly discovered prior art of Robinson et al (6,243,620) below.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson et al (U.S. 6,243,620).

As to claims 1 and 12, Robinson teaches an apparatus and the method which include the hand-held scanner 104 (col. 4, lines 50-51), the computer 102 may display

the data on screen (col. 5, lines 40-41), CPU corresponding the claimed a driving device, the computer interface 108 (col. 4, lines 40-41), the computer 102 (controller) for controlling the driving device by generating the predetermined electric signal for analyzing the output signal from the interface section, and for determining whether or not the result of inputting the display data channel is correct (see col. 6, lines 1-6). It would have been obvious to a person of ordinary skill in the art at the time of the invention to recognize that Robinson discloses those claimed limitations.

As to claims 2, 3, 13 and 14, Robinson teaches the input device also includes mouse the scanner 104 (see col. 4, lines 31-33).

As to claims 4, 15 and 16 Robinson teaches the computer 102 having CPU, program memory 110 (see Fig. 1, col. 4, lines 29-30).

Claims 5 and 17 are allowed.

4. Claims 6 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson et al in view of Keiji (5,115,227).

As to claims 6 and 18, Robinson teaches all of the claimed limitation of claim 1, except for a switch to select one of the mouse and the scanner. However, Keiji teaches the switch 43 to select one of the mouse 48 and the scanner 49 (see fig. 5). It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the input device taught by Keiji in the apparatus of Robinson's system because of at least two or more functions can be arbitrarily selected, so that the input device can be unitized very advantageously (col. 2, lines 6-8 of Keiji).

5. Claims 7, 8, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson et al in view of Dvorkis (US 5,477,043).

As to claims 7 and 19, Robinson teaches all of the claimed limitation of claim 1, except for "after the display data channel is inputted into the computer and the interfacing section outputs a high frequency signal, ...at a second time." However, Dvorkis teaches a related high-speed scanner which includes a high frequency signal (1) as the 0msec at a first time (see Fig. 8), and a low frequency signal (2) as the 2.5msec at a second time (see Fig.8). It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the high-speed scanner taught by Dvorkis in the apparatus of Robinson's system because of various modifications and changes of the invention to adapt it to various usage and conditions (see col. 11, lines 64-66 of Dvorkis).

As to claims 8 and 20, Dvorkis teaches the first range of 750 msec-1.5sec, and the second time is range of 3.5sec-4.5sec. It would have been obvious to a person of ordinary skill in the art at the time of the invention to recognize that Dvorkis discloses that claimed limitation because of various modifications and changes of the invention to adapt it to various usage and conditions.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson and Dvorkis as applied to claims 7 and 8 above, and further in view of McMonagle et al (US 5,808,296).

As to claim 9, both Robinson and Dvorkis teach all of the claimed limitation of claims 7 and 8, except for an alarm. However, McMonagle teaches the detect sensor

alarm (see col. 12, line 65 to col. 13, line 14). It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the detect sensor alarm taught by McMonagle in the apparatus of Robinson's system because of the detection sensor that can be easily and quickly programmed by the user (see col. 14, lines 5-10 of McMonagle).

Claims 10 and 11 are allowed.

Response to Arguments

7. Applicant's arguments filed 8/7/2001 have been fully considered but they are not persuasive.

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTP-892 form.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kevin M. Nguyen** whose telephone number is **703-305-6209**. The examiner can normally be reached on M-F (9:00-5:00), with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe** can be reached on **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kevin M. Nguyen
Examiner
Art Unit 2674

KN
October 18, 2001

RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600